

REMARKS

This communication is a full and timely response to the aforementioned final Office Action dated August 31, 2009. By this communication, claims 1, 11, 25 and 26 are amended, and claims 27-30 are cancelled. Claims 2-5, 10, 12-15, 17, 20 and 22-24 are not amended and remain in the application. Thus, claims 1-5, 10-15, 17, 20 and 22-26 are pending in the application. Claims 1, 11, 25 and 26 are independent.

Reconsideration of the application and withdrawal of the rejections of the claims are respectfully requested in view of the foregoing amendments and the following remarks.

I. Amendments to the Specification

The specification has been amended to remove references to claim numbers in view of the possibility that the claims of a patent resulting from the present application do not match the original claim numbers presented in the specification.

II. Information Disclosure Statement

Applicant thanks the Examiner for kindly considering the Information Disclosure Statement filed on August 13, 2009. As indicated correctly in item 3 on page 3 of the Office Action, the IDS complied with the provisions of 37 C.F.R. 1.97.

For instance, an English-language abstract of JP 8193946 was submitted with the IDS, and an English-language translation of the Japanese Office Action was submitted with the IDS, to provide a concise explanation of the relevance of these documents in compliance with 37 C.F.R. 1.98(a)(3)(i) (see MPEP 609.04(a)(III)).

Therefore, it is not understood why JP 8193946 and the Japanese Office Action were improperly lined through on the Form PTO-1449 to indicate that these documents were not considered, since a concise explanation of the relevance of these documents was provided.

Accordingly, Applicant respectfully requests that JP 8193946 and the Japanese Office Action be considered, since a concise explanation of the relevance of these documents was provided in full compliance with 37 C.F.R. 1.98(a)(3)(i), and

that an Examiner-initialed copy of the Form PTO-1449 be returned to Applicant to indicate consideration of these documents.

III. Allowable Subject Matter

Applicant thanks the Examiner for kindly indicating that claims 27-30 contain allowable subject matter. Claims 27-30 depended from independent claims 1, 25, 11 and 26, respectively.

Without acquiescing to the rejections presented in the Office Action, claims 1, 25, 11 and 26 have each been amended to include the allowable subject matter of claims 27-30, respectively.

Therefore, Applicant respectfully submits that claims 1, 11, 25 and 26, as well as claims 2-5, 10, 12-15, 17, 20 and 22-24 which depend therefrom, are in condition for allowance.

IV. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. Accordingly, a favorable examination and consideration of the instant application are respectfully requested.

If, after reviewing this Amendment, the Examiner believes there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: November 2, 2009 By: /Jonathan R. Bowser/
Jonathan R. Bowser
Registration No. 54574
Patrick C. Keane
Registration No. 32858

Customer No. 21839
703 836 6620